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Attorneys for Defendant
 WESLEY MAYDER

IN THE UNITED STATES DISTRICT COURT
 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

VERIGY US, INC., a Delaware Corporation,
 Plaintiff,
 v.

ROMI OMAR MAYDER, an individual;
 WESLEY MAYDER, an individual; SILICON
 TEST SYSTEMS, INC., a California
 Corporation; and SILICON TEST
 SOLUTIONS, LLC, a California Limited
 Liability Corporation, inclusive,
 Defendants.

Case No. 5:07-cv-04330-RMW (HRL)

**DECLARATION OF JACK RUSSO IN
 SUPPORT OF MOTION FOR RULE 11
 SANCTIONS (F.R.C.P. RULE 11)**

Date: July 18, 2008

Time: 9:00 a.m.

Ctrm: 6

Before the Hon. Ronald Whyte

Complaint Filed: August 22, 2007
 Trial Date: December 8, 2008 (jury trial)
 (Defendants have elected to reserve their jury
 trial rights under F.R.C.P., Rule 38)

AND RELATED CROSSCLAIMS.

I, Jack Russo, declare:

1. My firm serves as legal counsel for defendant Wesley Mayder ("Wesley"). I am admitted to practice before the federal district court for the Northern District of California, as well as the Ninth and Federal Circuits, and am a member in good standing of the State Bar of California and have been for over 25 years. I am the Managing Partner of Russo & Hale LLP (www.computerlaw.com). I also serve as a mediator, arbitrator, and neutral evaluator for the federal district courts in San Francisco and San Jose as well as a mediator, arbitrator and Judge Pro Temp for the Santa Clara Superior Court.

2. I make the statements herein in support of defendant Wesley Mayder's Motion for sanctions against plaintiff Verigy US, Inc. ("Verigy") and/or its counsel under Rule 11 of the Federal Rules of Civil Procedure. I make the statements herein of my personal knowledge, except where set forth on information and belief, which matters I believe to be true, and if called as a witness, I could and would testify competently as follows:

3. Attached as Exhibit A is a true and correct copy of the Complaint filed by plaintiff Verigy on August 22, 2007, which names Wesley Mayder as an individual defendant.

4. Attached as Exhibit B is a true and correct copy of a letter, including attachments, which I sent to plaintiff's counsel, John Fowler of Bergeson, LLP on April 17, 2008.

5. Attached as Exhibit C is a full, true and correct transcription of everything relating to this matter in a voice mail message left for me by John Fowler on May 7, 2008.¹

6. I caused a copy of defendant Wesley Mayder's motion for sanctions under Rule 11 to be served on counsel for Verigy, Mr. Fowler, at Bergeson, LLP by Federal Express on May 13, 2008.

7. After receiving Mr. Fowler's message on May 7, 2008, in preparing these papers for defendant Wesley Mayder's motion for sanctions under Rule 11, I expended 5 hours, and will likely spend an 5 hours given that there may be further briefing and a hearing on this matter. My billing rate is \$500 per hour. Additionally, on information and belief, a legal assistant in my office, Lucy Goodnough, expended approximately 11 hours researching and preparing the same. Ms. Goodnough's time is billed at \$75 per hour. Accordingly, at minimum, defendant Wesley Mayder should be reimbursed the \$3,325 already spent, and presumably more if further briefing and oral argument are required.

I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct and that this declaration was executed on May 13, 2008 in Palo Alto, California.

/s/
Jack Russo

¹ Mr. Fowler's reference to an unrelated matter has been redacted from the final text of the transcript to protect the confidentiality and privacy of unrelated parties.